REMARKS

Claims 1-6 stand finally rejected under 35 U.S.C. 103(a) as obvious in view of US 6,246,961 to Sasaki et al.

In the present amendment, claim 1 is amended to better define the ratio recited in the claim, claims 2-6 are amended to change the statutory class of the claims to that of claim 1 and a new claim 7 is added. New claim 7 recites formula 16 on page 10 of the specification.

In the final Office Action, the Examiner accedes that Sasaki "docs not explicitly disclose determining a scaling factor that defines a ratio between dimensions of the obstacle" and that Sasaki does not "explicitly disclose determining a scaling factor that defines a ratio between dimensions of the obstacle". However, the Examiner goes on to argue in the Office Action and as excerpted from the Advisory Action "that the ratio Z is a function of dimension x and u ... therefore Z is the ratio of dimension of the images". In the Office Action the Examiner therefore concludes that Sasaki "obviously encompasses teaching determining the ratio of the dimensions of the images in order to determine the time to contact". In the advisory action the Examiner submits that the independent claim "does not clearly define the ratio and does not teach or distinguish the dimension of the images: namely the dimension x of the first image and the dimension x of the second image taught by Sasaki ..."

Applicants submit that the amendment to claim 1 removes any lack of clarity that may be ascribed to the definition of the ratio and clearly distinguishes the ratio over Sasaki's parameter Z, any ratio that is used in the definition of Z or that Z might be construed to teach, imply or encompass.

A dimension of an obstacle is a clear and well-defined concept and is a distance, such as for example a width, a length, a height, or a diagonal length, between two different features of the obstacle. A dimension of an obstacle in an image as recited in claim 1 is a distance between two different features of the obstacle in the image. A ratio recited in amended claim 1 between a dimension of the obstacle in a first one of the at least two images and the same dimension of the obstacle in a second one of the at least two images is a ratio between a distance between two features of the obstacle in the first image and a distance between the same two features of the obstacle in the second image.

There is no way that Sasaki's Z can be construed to teach, imply or encompass in any way such a ratio. All the variables X', x, α, and u, that define Z, in equation 6 refer to a same

single feature of an obstacle, (*i.e.* the other vehicle). Z cannot therefore be understood to be a function of, or in any way be related to, a ratio of dimensions of an obstacle. Furthermore, on the basis of a dimensional analysis of Z, an assertion that Z is a ratio of dimensions of an obstacle must be rejected. Z as defined by equation 6 has units of length. A ratio of dimensions of an obstacle as claimed in amended claim 1 on the other hand is a dimensionless number and is not associated with any units, *i.e* the ratio is a pure number. Z therefore cannot be considered in any way or manner a ratio of dimensions of an obstacle.

In view of the above, applicant submits that claim 1 is patentable over Sasaki and that claims dependent on claim 1 are patentable at least through their dependence on claim 1.

The undersigned thanks the Examiner for the courtesy of the phone conversation on Thursday, January 12, and the e-mail she sent on the same day. A complementary copy of this amendment is forwarded to the Examiner's e-mail. If the Examiner does not feel that the present amendment and remarks place the application in condition for allowance, an opportunity for an interview is requested. As kindly suggested by the Examiner, the undersigned will arrange to call the Examiner to discuss scheduling an interview if such is deemed to be advisable.

Respectfully submitted,
Gideon P. STEIN, et al.

Allan C. ENTIS
Reg. No. 52,866

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William H. Dippert, Esq.
Wolf, Block, Schorr & Solis-Cohen LLP
250 Park Avenue
New York, NY 10177

Tel: 212-986-1116